

REMARKS

Applicant would like to thank the Examiner for the detailed Official Action provided, and for the indication that claims 1, 3-14 and 60 are allowed (although it appears that the Examiner has erroneously indicated that canceled claim 61 has been allowed, and not claim 60). Upon entry of the present Response, independent claim 62 will have been amended, and claims 2, 15-59 and 61 remain canceled without prejudice or disclaimer. In this regard, Applicant submits that no new matter is believed to have been presented by the above-made amendment. Accordingly, claims 1, 3-14, 60 and 62-70 are pending in the present application. Thus, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejection of the claims pending in the present application. Such action is respectfully requested and is now believed to be appropriate.

Indefinite Rejection under 35 USC §112, Second Paragraph

In the Official Action, the Examiner has rejected independent claim 62 under §35 USC §112, second paragraph, for failing to particularly point out and distinctly claim the subject matter which Applicant regards as his invention. More specifically, the Examiner asserts that the phrase “but for an object intervening between the occlusion portions,” as recited in independent claim 62, is unclear. Applicant respectfully disagrees. However, without acquiescing in the propriety of the Examiner’s rejection, and solely to pass the application to allowance, Applicant has deleted the above-mentioned phrase in independent claim 62. Thus, at least because the phrase has been deleted, Applicant submits that the rejection is rendered moot, and should be withdrawn.

Accordingly, because the formal matters remaining in the outstanding *Ex Parte Quayle* Official Action have been responded to, and because the Examiner has indicated that all the


remaining pending claims in the application having been indicated to be allowed, Applicant respectfully requests that the Examiner promptly pass the present application to allowance.

SUMMARY AND CONCLUSION

With respect to Applicant's amendment of claim 62, Applicant submits that this amendment has not been made for a purpose related to patentability, but is rather a clarifying amendment that is cosmetic in nature and that is not intended to narrow the scope of the claims (*i.e.*, the present amendment merely addresses informalities). Accordingly, this amendment should not be considered a decision by Applicant to narrow the claims in any way.

Should the Examiner have any questions or comments regarding this response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,
William G. DENNIS


Bruce H. Bernstein
Reg. No. 29,027

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GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

Steven B. Pollicoff
Reg. No. 60,311